

ATTACHMENT 4

1 whatever drive they ask for. But as commonplace,
2 we don't use the Infranor drives anymore.

3 Q. What about with customers that have
4 older pieces of equipment that have been using
5 the Infranor drives; are they still continuing to
6 use the Infranor drives?

7 A. Yes, replacement drives.

8 Q. For example, Proma, we know have the
9 Infranor drives, correct?

10 A. Right.

11 Q. And if they were to call you and say, "I
12 need a new drive," that would be an Infranor
13 drive, correct?

14 A. Well, you have to be specific on your
15 machine model and serial number. The records are
16 kept in the UK on all of that. So we would take
17 that and go back and tell England, this is what
18 we're looking for.

19 Q. Let's focus in on the recordkeeping on
20 the serial numbers. What recordkeeping is kept
21 with respect to each order of a replacement
22 drive?

23 A. A copy of the sales order, a copy of the
24 purchase order to the UK, any sort of fax,
25 correspondence, quotations, anything like that,

1 every arm, that sort of thing.

2 Q. Do you know how many arms there are on
3 that particular model?

4 A. No. It could be a lot. A customer
5 tells you what he wants for the machine, if he
6 wants four pairs of arms, six pair of arms. It
7 depends on what he's going to do with the
8 equipment.

9 Q. And are the drive boards modified in
10 order to accommodate the need of the customer?

11 A. I wouldn't know about that particular
12 drive.

13 Q. Do you know whether there were any
14 modifications made to the Infranor drive boards
15 specifically for Proma's application?

16 A. No.

17 Q. That's not something you would be
18 involved with?

19 A. No.

20 Q. If Proma were to call you and say, "We
21 need a new drive," is that something you would
22 handle?

23 A. Sure.

24 Q. And what would you do in order to get
25 them the new drive?

1 with Infranor the modifications that need to be
2 made to the board?

3 A. I don't know that, no.

4 Q. But at some point, modifications are
5 made to the board that are unique to that
6 particular serial number, correct?

7 A. I don't know that for certain.

8 Q. Let's assume hypothetically that that
9 particular serial number does have modifications
10 required for that particular serial number. Do
11 you know whether the Proma serial number, the
12 92036, does that have any indication that
13 modifications are going to be made to those
14 boards?

15 MR. KELLEHER: Objection.

16 You can answer the question, if you can.

17 A. I don't know that, no.

18 Q. So if somebody from Proma calls you, you
19 get the serial number, you call Atlas UK, and you
20 say: I need an Infranor drive board for that
21 serial number, correct?

22 A. That's correct.

23 Q. You don't say anything about
24 modifications, correct?

25 A. To England?

1 Q. To England.

2 A. No.

3 Q. So somewhere in England then, Atlas UK
4 sends you back a board, correct?

5 A. Sure.

6 Q. Do you assume that that board that has
7 come to you has any modifications done to it that
8 needed to be done to it?

9 MR. KELLEHER: Objection.

10 A. I don't have to assume anything at that
11 point in time. There wouldn't be a reason to
12 assume anything. I have done what we've
13 portrayed needed to be done correctly. So
14 there's not an assumption one way or the other.
15 That's the reason I went to England to buy it in
16 the first place. I don't assume the drive is
17 modified. I don't assume anything. I go there
18 and buy that drive because it's the place to go
19 and get it. If any modifications have to be
20 made, or whatever, they would do it there.

21 Q. That's what I'm saying. It's your
22 understanding that any modifications that need to
23 be made are done there, correct?

24 MR. KELLEHER: Objection.

25 A. Right.

1 MR. KELLEHER: Objection.

2 A. Well, if you had a piece of equipment
3 like a big Atlas slitter and something as
4 important as a driver, if I was the customer, I
5 would want to buy it from the manufacturer.

6 Q. But isn't the manufacturer Infranor?

7 A. I'm talking about the machine
8 manufacturer. I would want to come to the
9 factory to buy something like that. I would.

10 Q. Can a customer call Infranor directly
11 and give them the serial number and get the same
12 board?

13 A. They could.

14 MR. KELLEHER: Objection.

15 BY MS. COUNIHAN:

16 Q. So Infranor, to the best of your
17 knowledge, has the information relative to that
18 particular serial number's modifications, if any?

19 A. Not to Atlas. You wouldn't call up and
20 say: I want to buy an Infranor board for my
21 Atlas slitter from Infranor. You would want to
22 call up and say: I want a -- you would look on
23 it and get the number right off the end of the
24 drive and see if you can buy it direct from
25 Infranor.

1 Q. Could you call Atlas UK and give them
2 your serial number from your Atlas splitter and
3 get the drive board?

4 MR. KELLEHER: Objection.

5 A. If you were a customer?

6 Q. Yes.

7 A. Sure.

8 Q. I'm just trying to understand where the
9 pieces all kind of fit together on buying a new
10 drive. So Proma isn't required to call you to
11 get a drive?

12 A. No.

13 Q. They could call Atlas UK, correct?

14 A. If they desire to, yeah.

15 Q. Do you know whether anyone from Proma
16 ever inquired as to whether or not they could buy
17 the boards directly from either Atlas UK or
18 Infranor?

19 A. Not to me.

20 Q. When you said that the customer would
21 call and give you the serial number, and that
22 would be sent over to Atlas UK, is there a piece
23 of paper that's generated as a result of that?

24 A. Nowadays about everything is done on
25 e-mail. Back then, it could have been done